

0/500585

Practitioner's Docket No. 1392/10/12PCT/US

## CHAPTER II

## IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/US03/04324	11 February 2003 (11.02.03)	11 February 2002 (11.02.02)
International Application No.	International Filing Date	Priority Date Claimed

## GENE FUNCTION INFERRING USING GENE EXPRESSION DATA

Title of Invention

Syngenta Participations AG; Chen, Xinghai; Zou, Guangzhou and Wang, Xun

Applicant(s)

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 ATTENTION: EO/US

COMPLETION OF FILING REQUIREMENTS  
 FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE  
 IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

## EXPRESS MAILING UNDER 37 C.F.R. § 1.10\*

(Express Mail label number is *mandatory*.)(Express Mail certification is *optional*)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date October 21, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV478025068US.

\_\_\_\_\_  
 Stacie H. Boswell

Date: October 21, 2004

Stacie H. Boswell  
 Signature of person certifying

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

### DECLARATION OR OATH

No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

### FEES

#### II.

##### 1. Surcharge fees

Surcharge for filing the oath or declaration  
later than thirty months from the priority  
date pursuant to § 1.495(c):

\$130.00

**Total Fees**

**\$130.00**

### EXTENSION OF TIME

#### III. The proceedings herein are for a patent application. Accordingly, the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### TOTAL FEE DUE

#### IV. The total fee due is:

Completion fee(s)

\$130.00

**TOTAL FEE DUE \$130.00**

10/26/2004 SHAJARRD 00000047 500426 00500585

01 FC:1617 130.00 DA

### PAYMENT OF FEES

#### V.

Authorization is hereby made to charge the amount of \$130.00 to Deposit Account No. 50-0426.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this request is attached.

Date:

10/21/2004

Reg. No.: 39,395

Tel. No.: 001-919-493-8000

Customer No.: 25297

Arles A. Taylor, Jr.  
Signature of Practitioner

Arles A. Taylor, Jr.

Jenkins, Wilson & Taylor, Jr.

Suite 1400 University Tower

3100 Tower Boulevard

Durham, NC 27707

UNITED STATES OF AMERICA



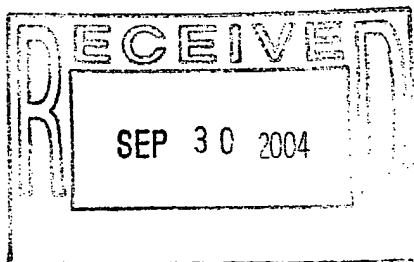
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

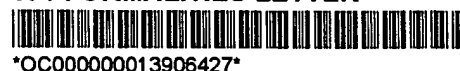
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,585	Xinghai Chen	1392/10/12 PCT/US

INTERNATIONAL APPLICATION NO.	
PCT/US03/04324	
LA. FILING DATE	PRIORITY DATE
02/11/2003	02/11/2002

25297  
 JENKINS & WILSON, PA  
 3100 TOWER BLVD  
 SUITE 1400  
 DURHAM, NC 27707



CONFIRMATION NO. 5246  
 371 FORMALITIES LETTER



\*OC000000013906427\*

Date Mailed: 09/27/2004

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/30/2004
- Copy of the International Search Report filed on 06/30/2004
- U.S. Basic National Fees filed on 06/30/2004
- Priority Documents filed on 06/30/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

DOCKET DATES: 10/27, 11/27, 12/27, 1/27, 2/27, 3/27/05  
 ASSIGNED ATTY: AATND  
 FILE NO. 1392/10/12 PCT/US  
 DOCKETED BY: HMD  
 DATE: 10.7.04

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,585	PCT/US03/04324	1392/10/12 PCT/US

FORM PCT/DO/EO/905 (371 Formalities Notice)